

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA)

v.)

Case No. 5:24-MJ-91 (ML)

DIQUAN HALL)

Defendant)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of February 15, 2024 in the county of Onondaga in the Northern District of New York the defendant(s) violated:

Code Section

Title 21, United States Code, Section 841(a)(1)

Offense Description

Possession of controlled substances with intent to distribute.

This criminal complaint is based on these facts:
See Attached Affidavit.

☒ Continued on the attached sheet.

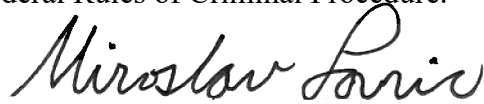

Complainant's signature

Richard Gardinier, ATF Special Agent

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: February 15, 2024


Judge's signature

City and State: Binghamton, NY

Hon. Miroslav Lovric, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR NORTHERN DISTRICT OF NEW YORK

UNITED STATES

v.

DIQUAN HALL

Defendant.

Case No. 5:24-MJ-91 (ML)

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A CRIMINAL COMPLAINT**

I, Richard Gardinier, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of a criminal complaint charging Diquan HALL, the defendant, with violating Title 21, United States Code, Section 841(a)(1) and (b)(1)(C) (possession of a controlled substance, namely fentanyl).

2. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been since January 2, 2017. I have attended the Federal Law Enforcement Training Center (FLETC), located in Glynco, Georgia, where in I was enrolled in, and successfully completed, both Criminal Investigator Training Program (CITP) and Special Agent Basic Training (SABT). During the course of my training, I received instruction on physical surveillance, interviewing sources of information and defendants, reviewing telephone and financial records, applying for and serving search warrants, firearms trafficking, etc.

3. Prior to my time with ATF, I was employed by the United States Secret Service, Uniformed Division (USSS/UD) for four years. I was enrolled in and successfully completed the Uniformed Police Training Program (UPTP) at FLETC, as well as New Officer Training with the

USSS/UD, located in Beltsville, Maryland.

4. I am an investigative, or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510 (7), that is, an officer of the United States who is empowered by law to conduct investigations of and make arrests for the offenses enumerated in Title 18, 21 and 26, United States Code.

5. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and does not set forth all of my knowledge about this matter.

6. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe Diquan HALL has violated Title 21, United States Code, Section 841(a) and (b)(1)(C), by possessing approximately 15 grams of a fentanyl mixture contained within approximately 15 “bricks” of packaging.

FACTS ESTABLISHING PROBABLE CAUSE

7. During the month of January 2024, your affiant obtained information regarding Diquan Hall¹, a black male approximately 26 years of age, born June 15, 1998, approximately five feet five inches tall, approximately 220 pounds, having brown eyes and black hair. and currently under New York State Parole supervision, was trafficking in firearms and controlled substances.

¹ Hall has several prior New York State convictions, to include three felonies. Hall’s most recent conviction was on November 10, 2021 for Criminal Possession of a Firearm, a class E Felony, for which he was sentenced to 18 months to 3 years indeterminate time. Hall is currently under the supervision of New York State Parole for this conviction. Hall’s other prior felony convictions include Attempted Criminal Possession of a Controlled Substance in the 5th degree, a class E felony, as well as Criminal Mischief with Intent to Damage Property, a class D Felony. All of these convictions were within Onondaga County.

A Confidential Informant (CI) obtained a PHONE NUMBER (315-275-1984) believed to be utilized by HALL. The CI made contact with Hall via the PHONE NUMBER regarding the purchase of controlled substances, specifically fentanyl and methamphetamines, which Hall agreed to provide.

8. On February 15, 2024 (today), at the direction of your affiant, the CI contacted the PHONE NUMBER and spoke with HALL. The CI indicated HALL agreed to sell the CI an amount of fentanyl for a pre-arranged price today.

9. Today the CI met with law enforcement officers and myself at a pre-designated meeting area. The CI, as well as the CI's vehicle were thoroughly searched for contraband, to include firearms, ammunition, weapons, controlled substances, and monies, none of which were located. The CI was outfitted with an audio recording device allowing law enforcement to monitor the CI, both physically and electronically, at all times. The CI was provided with an amount of pre-recorded, government funds as payment the anticipated controlled substances.

10. The CI was consensually monitored contacting HALL via the PHONE NUMBER, during which HALL directed the CI to 107 Meyers Road, Liverpool, Onondaga County, New York, to purchase controlled substances. Once there, the CI was surveilled/observed until a red SUV arrived. The CI explained HALL exited the red SUV and entered the CI's vehicle.

11. Once inside the CI's vehicle, Hall provided the CI with 15 white packages known as "bricks" of fentanyl. The CI in turn provided HALL with an amount of pre-recorded government funds as payment for the suspected controlled substances².

² These funds were later recovered from HALL's person incident to his arrest.

12. During the drug transaction described above, your affiant was in contact with New York State Parole Officer Bronson, who is assigned to monitor Hall, during this transaction. As a condition of his parole, HALL is required to wear and maintain a GPS unit on his person. The location is tracked in live time and stored. At the time of the transaction today, HALL's GPS unit placed him at the RESIDENCE. This was corroborated with physical surveillance, audio monitoring, and confirmation from the CI.

13. Law enforcement officers recovered from the CI's vehicle 15 white packages known as "bricks" of a heroin and fentanyl mixture. Also recovered from the vehicle operated today by Diquan HALL was a quantity of suspected cocaine.

14. The CI indicated the suspected drugs recovered from the CI's vehicle were sold by HALL.

15. Your affiant and Drug Enforcement Administration (DEA) Task Force Officer (TFO) Geer performed a field test of the substance purchased by the CI, which returned positive results for fentanyl.

16. Today at the DEA Syracuse Resident Office, HALL was advised of his *Miranda* Rights, which he knowingly and voluntarily waived, agreeing to speak with law enforcement without an attorney present. HALL stated the following in sum and substance;

- a. HALL admitted to selling 15 "bricks" of fentanyl at 107 Meyers Road on today's date to the CI.
- b. HALL admitted to possessing the off-white powdery substance located in his vehicle which he claims to be cocaine³

³ Field testing is pending of this item

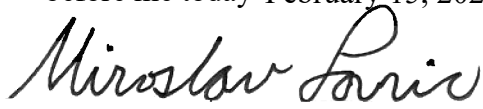
17. In light of the foregoing, I respectfully submit there is probable cause to believe Diquan HALL, the defendant, has violated Title 21, United States Code, 841(a)(1) and (b)(1)(C) as described herein and I respectfully request the Court authorize the filing of this complaint so that the defendant may be brought to court for further proceedings in accordance with the law.

Attested to by the affiant:

Richard Gardinier

Richard Gardinier
ATF Special Agent

Subscribed and Sworn to
before me today February 15, 2024.



Hon. Miroslav Lovric
United States Magistrate Judge